

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAE Y. LEE

Defendant.

CASE NO. CR19-0228-JCC

ORDER

This matter comes before the Court on the Government's unopposed motion to seal its sentencing supplement (Dkt. No. 172).

The First Amendment protects the public's right of access to criminal trials. *See, e.g., Globe Newspaper Co. v. Super. Ct. for Norfolk Cnty.*, 457 U.S. 596, 606 (1982). The public also has a common law right to inspect and copy public records, including those from judicial proceedings. *See Nixon v. Warner Commc'ns*, 435 U.S. 589, 597 (1978). But these rights are not absolute. They must yield when (1) sealing a document serves a compelling interest, (2) that is substantially likely to be harmed if the document is not sealed, and (3) there are no less restrictive alternatives for protecting the interest. *See United States v. Doe*, 870 F.3d 991, 998 (9th Cir. 2017).

Given the sensitive nature of the information contained in the supplement, the Court finds that its sealing serves a compelling interest, which is likely to be harmed if the document is not

1 sealed, and there is no less restrictive alternative to protect that interest. Accordingly, there is
2 good cause for the document to remain under seal.

3 The Court GRANTS the motion. The Clerk is DIRECTED to maintain Docket Number
4 173 under seal.

5 DATED this 10th day of June 2022.

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9 John C. Coughenour
10 UNITED STATES DISTRICT JUDGE
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